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Title: **Management of Vulnerable Employees During the COVID-19 Pandemic Standard** Document Identifier: **240-155326818**

Alternative Reference Number: **Not applicable**

Area of Applicability: **Eskom Holdings SOC Ltd**

Functional Area: **Human Resources**

Revision: **3**

Total Pages: **11**

Next Review Date: **July 2023**

Disclosure Classification: **Controlled Disclosure**

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1. Introduction

The World Health Organization (WHO), the National Department of Health (NDOH), and the National Institute for Communicable Diseases (NICD) declared a category of people as being vulnerable to COVID-19 and requiring protection. The medical advice and recommendation from the WHO and the NDOH are that vulnerable people should self-quarantine in their homes and limit contact with those outside their immediate households as much as possible.

Under the Occupational Health and Safety Act 85 of 1993, the employer must provide “a working environment that is safe and without risk to the health of his employees.” Also, an employer must ensure that in instances where hazards cannot be eliminated, they must appropriately controlled to prevent a risk of an adverse health outcome.

2. Supporting clauses

2.1 Scope

2.1.1 Purpose

This standard aims to provide guidance to evaluate and manage vulnerable employees in the context of the current SARS-CoV-2 pandemic as mentioned in the regulations issued in terms of section 27(2) of the Disaster Management Act, 2002.

2.1.2 Applicability

This standard shall apply throughout Eskom Holdings SOC Ltd divisions, subsidiaries, and contractors.

2.1.3 Effective date

The standard is effective from the date of signature.

This standard shall be updated continuously to align with the regulations

2.2 Normative/Informative references

Parties using this standard shall apply the most recent edition of the documents listed in the following paragraphs.

2.2.1 Normative

- [1] ISO 9001 Quality Management Systems
- [2] 32-1122: Health and Wellness Policy
- [3] 32-1250: Health and Wellness PCM

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- [4] 240-100092892: Outbreak, Pandemic or Epidemic
- [5] Guidance on vulnerable employees and workplace accommodation in relation to COVID-19 (V4: 25 May 2020) from the National Department of Health (DOH)
- [6] Health Professions Act 56 of 1974
- [7] National Health Act 61 of 2003
- [8] Nursing Act 33 of 2005
- [9] Disaster Response Plan

2.2.2 Informative

- [10]32-727 Safety, Health, Environment and Quality (SHEQ) Policy
- [11]Employment Equity Act 55 of 1998
- [12]Basic Conditions of Employment Act 75 of 1997
- [13]Labour Relations Act 66 of 1995
- [14]Occupational Health and Safety Act 85 of 1993
- [15]32-391: Integrated Risk Management
- [16]32-520: Occupational Health and Safety Management Risk Assessment Procedure
- [17]32-1114: Grievance procedure

2.3 Definitions

An employee who is vulnerable to COVID-19 is a person who, due to his/her health and medical conditions is at high risk of contracting COVID-19 and is also at higher risk of severe complications and severe illness from COVID-19 or resides with or cares for persons who are at high risk for severe illness from COVID-19 (including family members, aged parents, etc.)

2.4 Abbreviations

Abbreviation	Meaning
COVID-19	Coronavirus Disease 2019
SARS-CoV-2	coronavirus
HIV	human immunodeficiency virus
NDOH	National Department of Health
NICD	National Institute for Communicable Diseases
OHP	occupational health practitioner, being either an occupational health nurse practitioner and occupational medicine practitioner

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OHNP	occupational health nurse practitioner
OMP	occupational medicine practitioner
PPE	personal protective equipment
WHO	World Health Organization

2.5 Roles and responsibilities

2.5.1 Responsible manager

The responsible managers/supervisors of the various operating units, service functions and strategic functions in Eskom shall:

- a) conduct a workplace risk assessment together with the employee;
- b) communicate COVID-19 general control measures (for example, mandatory masks, hand hygiene, social distancing, good ventilation, respiratory etiquette, COVID-19 screening, etc.) to employees;
- c) compile and maintain a record of vulnerable employees within their department;
- d) protect vulnerable employees;
- e) support employees to ensure productivity;
- f) refer employees to the medical centre, where required;
- g) approve or reject the option of working from home as guided by a risk assessment and discussion with the employee; and
- h) manage outputs and maintain contact with such employees, including offering them care and support.

2.5.2 Human resources business partner (HRBP)

The HRBP shall:

- a) ensure that all Eskom managers and employees are aware of this standard;
- b) support and advise the managers and employees.

2.5.3 Employees

An employee shall:

- a) report the conditions that make him/her vulnerable to the manager without compromising the sensitivity that relates to the diagnosis;
- b) provide the required documents where necessary;
- c) seek medical advice from the OHP, where required; and

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- d) inform his/her manager if he/she is diagnosed with COVID-19.

2.5.4 Occupational health practitioners

The occupational health practitioner shall:

- a) advise, when requested/required, on the vulnerability of the employee while maintaining medical confidentiality, considering available medical information;
- b) support and advise the HRBP; and
- c) provide the manager with feedback on the vulnerability of the employee to COVID-19. This feedback should not compromise medical confidentiality.

2.5.5 Employee Assistance Programme (EAP) Practitioner

- a) Conducts psycho-social assessment
- b) Provides psycho-social assistance
- c) Maintains confidentiality

2.6 Process for monitoring

The process for monitoring the implementation and usage of the policies, procedures, standards, and other related governance documentation is the responsibility of the various process owners in the centres of excellence.

The quality (QMS) process will provide assurance through annual internal reviews. The prioritisation of the internal reviews is based on the risk and audit profile, with the proviso that all processes will be reviewed at least every three years.

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2.7 Related/Supporting documents

2.7.1 Confirmation of an employee who is vulnerable to COVID-19 form: 240-155373535

3. General considerations

3.1 Principles

- 3.1.1 The work-from-home principle should be applied. Vulnerable employees who can work from home should be allowed to work from home.
- 3.1.2 The decision to work from home or physically be at work must be guided by a risk assessment considering all the factors relating to the risk of exposure to the SARS-CoV-2 virus and the job requirements for business continuity.
- 3.1.3 All medical information of employees must be treated as private and confidential by all parties at all times.
- 3.1.4 There will be zero tolerance to discrimination and stigmatisation based on having a COVID-19 diagnosis. Incidents of discrimination or stigmatisation will be addressed through Eskom Grievance process.
- 3.1.5 Employees considered vulnerable during the COVID-19 pandemic should be managed fairly and equitably at all times.
- 3.1.6 Employees who will be working from home must be provided with tools of the trade.
- 3.1.7 If the vulnerable employee has to come to work physically, the manager must ensure that there are additional risk control measures in place to limit the risk of exposure, including appropriate Personal Protective Equipment (PPE).
- 3.1.8 Social distancing and hand hygiene measures (that is, handwashing with soap and water and or use of > 70% alcohol-based sanitisers) must be adhered to at all times (at home and at work).
- 3.1.9 Administrative controls (for example, staff rotation, management of shift work, etc.) should be applied.
- 3.1.10 Eskom employees who meet the criteria of employees who are vulnerable during the COVID-19 should be allowed to work from home until the pandemic has been declared contained.

3.2 The criteria for an employee who is vulnerable to COVID-19

An employee shall be considered as an employee who is vulnerable to COVID-19 if he/she:

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3.2.1 is 60 years and older;

3.2.2 is pregnant

- The visibly pregnant employee: work-from-home principle should apply until the employee goes on maternity leave.
- An employee who is not visibly pregnant must provide a medical report from a health practitioner or specialist confirming the pregnancy. This report should be forwarded to the nearest Eskom clinic. Feedback will be sent to the manager to allow the employee to work from home until the employee goes on maternity leave.

Note: No pregnancy testing will be done at the medical centre, and no home test kits will be submitted as evidence of pregnancy.

3.2.3 has one or more of the underlying commonly encountered diagnosed chronic medical conditions (of any age) mainly if not well controlled:

- a) pulmonary diseases (chronic lung disease): moderate to severe asthma, chronic obstructive pulmonary disease (COPD), bronchiectasis, idiopathic pulmonary fibrosis, active TB and post-tuberculous lung disease (PTLD)
- b) diabetes (poorly controlled) or with late complications
- c) moderate/severe hypertension (poorly controlled) or with target organ damage
- d) cardiovascular diseases (severe heart conditions): heart failure, coronary artery disease, cardiomyopathies, pulmonary hypertension; congenital heart disease
- e) renal diseases (chronic kidney diseases) including renal failure, and is on dialysis
- f) chronic liver disease, including cirrhosis
- g) HIV/AIDS with a low CD4 count

3.2.4 has severe obesity (body mass index [BMI] of 40 or higher)

3.2.5 is immune-compromised as a result of cancer treatment, bone marrow or organ transplant, immune deficiencies, poorly controlled HIV or AIDS, prolonged use of corticosteroids and other immune weakening medications

3.2.6 is a person with a disability who has consented to disclosure of the disability.

- A risk assessment as related to COVID-19 susceptibility must be conducted, as not all persons with disabilities are susceptible to contracting COVID-19. If the risk is assessed as high, the responsible manager should implement the work-from-home principle. Reasonable accommodation measures should be applied accordingly.

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3.3 The identification of an employee who is vulnerable to COVID-19

- 3.3.1 The occupational health nurse practitioner (OHNP) should identify an employee from available medical surveillance and fitness-for-duty medical records and confirm to the manager that the employee is vulnerable to COVID-19.
- 3.3.2 An employee who believes that he/she should be considered as an employee who is vulnerable during the COVID-19 pandemic must approach his/her manager and request to be considered for classification. The employee should be asked to provide a medical report from his/her treating health practitioner. This medical report should be submitted to the Eskom OHNP at the nearest Eskom clinic.
- 3.3.3 The responsible manager may also draw on his/her existing knowledge of an employee's health and well-being when considering whether the employee meets the criteria for an employee who is vulnerable to COVID-19.

3.4 The management and protection of employees who are vulnerable to COVID-19

- 3.4.1 The responsible manager must perform a risk assessment to determine whether a vulnerable employee is required to physically be at work to perform a critical task(s) as part of business continuity.
- 3.4.2 The responsible manager and employee should work together to assess any risks and agree on actions to address the identified risks before such an employee is allowed to work.
- 3.4.3 It is the responsibility of the manager to approve or reject the option of working from home.
- 3.4.4 These employees should self-quarantine while working from home by following the NICD protocol until the pandemic has been declared contained.
- 3.4.5 An employee who is vulnerable during the COVID-19 will undergo a fitness-for-duty assessment on his/her return to work. This assessment will be conducted at his/her nearest Eskom clinic.
- 3.4.6 If the vulnerable employee insists on coming to work, despite being allowed to work from home, such an employee must submit a medical certificate declaring such from the treating health practitioner.
- 3.4.7 If potential exposure cannot be eliminated or reduced, then the employer, in consultation with the relevant employee, should explore other ways of temporary workplace accommodation to prevent the risk of infection. These accommodations should be granted based on optimal utilisation of the employee's skills/competencies, without a reduction in benefits and accompanied with adequate training where appropriate and include:

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3.4.8 alternative temporary placement/redeployment to a different role and responsibility, which has a negligible risk for transmission

3.4.8.1 restriction of certain duties (not allowed to perform high-risk procedures)

3.4.8.2 protective isolation (for example, providing a dedicated, clean office, etc.)

3.4.8.3 provision of specific PPE appropriate to the risk of the task/activity identified in the workplace risk assessment and adherence to PPE usage protocols

3.4.8.4 stricter physical distancing protocols (including staggering of shifts), barriers or additional hygiene measures

3.4.8.5 limit duration of close interaction with clients, colleagues and/or the public reducing external risks (use of public transport) by providing alternative transport arrangements where feasible.

These temporary workplace accommodation measures fall outside of medical incapacity process and should be agreed on by the managers and the employees.

3.4.8.6 Employees who have declared that they reside with or care for persons that are at high risk for severe illness from COVID-19 (including family members, aged parents, etc.) shall be managed according to Eskom Conditions of Service.

4. Acceptance

This document has been seen and accepted by:

Name	Designation
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5. Revisions

Date	Rev.	Compiler	Remarks
July 2020	3	Dr Mmuso Ramantsi	Standard changed to align to Department of Employment and Labour requirements
June 2020	2	Dr Mmuso Ramantsi	Document type changed from guideline to standard
May 2020	1	Dr Mmuso Ramantsi	Business requirement

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7. Acknowledgements

Language services

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